

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

VICTORIA GRAUDINS,
Plaintiff,

v.

RETRO FITNESS, LLC, et al.,
Defendants.

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CIVIL ACTION

NO. 11-6466

ORDER

AND NOW, this 5th day of February, 2013, upon consideration of the briefing pertaining to the Defendants' Motion for Partial Summary Judgment (Docket Nos. 46, 53-54) and the Defendants' Motion to Sever (Docket Nos. 47, 49, 51), as well as the presentations of the parties at oral argument, it is hereby ORDERED that:

1. The Motion for Partial Summary Judgment (Docket No. 46) is GRANTED IN PART with respect to Ms. Gaudins's Title VII claims against the moving individual defendants, state-law hostile work environment claims, state-law retaliation and intentional infliction of emotional distress claims against the individual defendants, and negligent supervision and negligent infliction of emotional distress claims, and DENIED IN PART with respect to the issues of back pay and Retro Fitness's liability for intentional infliction of emotional distress and Paul Carr's alleged harassment.
2. The Motion to Sever (Docket No. 47) is DENIED.
3. The Clerk of the Court is instructed to terminate Daniel Kraft, Dan Carr, and Jim Kenagie as defendants in this matter.
4. A status conference in this matter is scheduled for Monday, February 11, 2013 at 3:00 p.m. in Chambers, Room 10613, in the United States Courthouse, 601

Market Street, Philadelphia, Pennsylvania 19106, to discuss revised deadlines and the remaining parties' trial preparations.

BY THE COURT:

/s/ Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge